

MINUTES OF THE TOWN BOARD MEETING OF JULY 28, 2010

PRESENT: Supervisor Teresa Dean
 Council Edward Fairbrother
 Marcia Hudock
 David Manchester
 Mike Smith
 Attorney Thomas Bowes
 Town Clerk Linda Cross

Supervisor Dean called the Town Board meeting to order at 7:00 p.m. and requested those present to participate in the Pledge of Allegiance.

Supervisor Dean gave a brief overview of the summer TAFFY program and policy regarding use of the parks.

CONCERNS OF THE PEOPLE

Ernest Mann, 78 Pine Circle, stated the parks are for the public and no one should be excluded from using a public park.

Lisa Hess, 45 Anncox Lane, stated her support for the TAFFY program and policy and stressed the importance of the safety of the children in the program.

David Crocker, 8 Olcott Road South, questioned why one child's safety was being put above another by not allowing everyone to use the park.

Kristy Forrester, 24 Liberty Way, supported the policy and stated she feels comfortable only allowing the kids registered for the program in the park during TAFFY and pointed out that there are other parks that the program is not using.

Nancy Swartz, 10 Heritage Lane, stated her support for the TAFFY program and the current policy.

Tom Shull, 49 Pine Circle, stated his daughter worked as a counselor and he supports the program but asked the Town Board to update the policy, especially since children under the age of five are not able to utilize the TAFFY program. He does not feel that the policy would prevent a sex offender from entering the park.

Melissa Panaski, 9 Bell Lane, stated she supports the program policy and that it is not worth the risk to the kids; also indicated that she would not send her kids if the policy changed.

Don Blide, 87 Pine Circle, stated more parents in the parks supervising their children would be beneficial to keeping the children safe. Supervisor Dean reiterated that parents could stay in the park with their children as long as they fill out the information form.

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Karen Deines, 38 Liberty Way, supports the TAFFY program and agrees the parks should be closed during the brief time the program is taking place.

Charlotte Annis, 547 Maple Street, asked if it is just a simple matter of filling out the information sheet and then she would be able to bring her grandchildren to the park? Supervisor Dean replied yes.

MINUTES

Councilperson Fairbrother made a motion, seconded by Councilperson Smith, to approve the minutes of June 23, 2010 as presented. All in favor, motion carried.

Councilperson Hudock made a motion, seconded by Councilperson Manchester, to approve the minutes of July 14, 2010 as presented. All in favor, motion carried.

OLD BUSINESS

RESOLUTION NO. 172-10

PUBLIC HEARING FOR CAMPING WORLD SPECIAL USE PERMIT APPROVED

Resolution by: Manchester

Seconded by: Fairbrother

WHEREAS the Planning Board has received an application from Camping World for temporary vehicle sales August 18, 2010- August 23, 2010 on tax parcel #57.04-1-7.17 located in the Business Regional (BR) District, and

WHEREAS the use of vehicles sales in the BR district pursuant to Chapter 17.12.010 of the Town Municipal Code requires Special Use Permit approval of the Town Board, and

WHEREAS prior to action on a Special Use Permit a Public Hearing shall be duly held by the Town Board, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED that the Town Board sets a Public Hearing for August 11, 2010 at 4:32 p.m. to hear comments for a Special Use Permit for Camping World for an RV sale August 18, 2010- August 23, 2010.

CARRIED: AYES: Hudock, Manchester, Fairbrother, Smith, Dean

NAYS: None

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NEW BUSINESS

RESOLUTION NO. 173-10

NEW YORK PLANNING FEDERATION CONFERENCE ATTENDANCE APPROVED

Resolution by: Fairbrother

Seconded by: Smith

WHEREAS a request was submitted by the Director of Planning to attend the Annual Conference of the NY Planning Federation from September 26-28, 2010, and

WHEREAS the conference request includes the conference registration, use of a town vehicle, meals and three nights lodging at the Golden Arrow Lakeside, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes Stephen J. Polzella to attend the Annual Conference of the NY Planning Federation from September 26-28, 2010 with all appropriate expenses to be allocated from the appropriate funds at a total cost not to exceed \$700.00.

CARRIED: AYES: Hudock, Manchester, Fairbrother, Smith, Dean

NAYS: None

RESOLUTION NO. 174-10

SENIOR CITIZENS COMMITTEE RESIGNATIONS AND APPOINTMENTS APPROVED

Resolution by: Smith

Seconded by: Dean

WHEREAS the Town Supervisor received verbal resignations from Lois Haidvogel and Patricia Keach stating they were no longer able to serve on the Senior Citizen Committee, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board accepts the resignations of Lois Haidvogel and Patricia Keach as members of the Senior Citizen Committee and requests the Town Supervisor send a letter of thanks for their assistance, and

FURTHER RESOLVED the Town Board approves and hereby appoints Phil Myers, 106 Hillview Drive, Big Flats for a term ending December 31, 2010 and Harold Wacenske, 22 Orchard Drive, Big Flats for a term ending December 31, 2011 as Senior Citizen Committee members, as per the recommendation of Robert Newlun, Chairman for the Committee.

CARRIED: AYES: Hudock, Manchester, Fairbrother, Smith, Dean

NAYS: None

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RESOLUTION NO. 175-10
SPEED LIMIT INVESTIGATION FOR UPSON ROAD APPROVED

Resolution by: Hudock
Seconded by: Manchester

WHEREAS the Town of Big Flats has received a verbal request from residents to designate a speed limit on Upson Road, and

WHEREAS the Town Board does not have the authority to designate a speed zone for this area, and

WHEREAS for environmental review purposes, this a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Clerk to request the Chemung County Department of Public Works Commissioner conduct a speed limit investigation of Upson Road in the Town of Big Flats.

CARRIED: AYES: Hudock, Manchester, Fairbrother, Smith, Dean
NAYS: None

RESOLUTION NO. 176-10
INSUFFICIENT FUNDS CHECK FEE APPROVED

Resolution by: Manchester
Seconded by: Fairbrother

WHEREAS the Town of Big Flats has an insufficient funds check charge of \$25.00 and has determined that the amount should be lowered, and

WHEREAS for environmental review, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (19) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board sets the insufficient funds check fee at \$20.00 for the Town, Sewer and Water departments.

CARRIED: AYES: Hudock, Manchester, Fairbrother, Smith, Dean
NAYS: None

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RESOLUTION NO. 177-10
ABSTRACT OF AUDITED VOUCHERS APPROVED

Resolution by: Fairbrother

Seconded by: Smith

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for July 2010, vouchers 10010-10145, and order the bills paid, when in funds, for the following:

GENERAL FUND	\$175,900.43
HIGHWAY FUND	\$171,900.43
CAPITAL PROJECT #11	\$ 40,687.12
CAPITAL PROJECT #8	\$ 22.24
WATER DISTRICT #1	\$ 5,472.15
WATER DISTRICT #2	\$ 24,631.06
WATER DISTRICT #3	\$ 10,090.86
WATER DISTRICT #4	\$ 475.68
LIGHTING DISTRICT	\$ 501.30
TRUST & AGENCY	\$ 3,979.37

CARRIED: AYES: Hudock, Manchester, Fairbrother, Smith, Dean

NAYS: None

RESOLUTION NO. 178-10
STORMWATER AGREEMENT APPROVED

Resolution by: Smith

Seconded by: Hudock

WHEREAS in accordance with the Stormwater Coalition Agreement, the Town of Big Flats is required to enter into a Stormwater Control Facility Maintenance Agreement with companies who are required to participate in the stormwater coalition review process, and

WHEREAS for environmental review, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (19) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to sign the Stormwater Agreement with Candlewood Suites contingent upon the review and approval of the Town Attorney.

CARRIED: AYES: Hudock, Manchester, Fairbrother, Smith, Dean

NAYS: None

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CORRESPONDENCE

Annual Report/Environmental Emergency Services, Inc. A letter was received from Joy P. Brewer, Treasurer for Environmental Emergency Services, Inc., requesting funds be set aside in the 2011 budget for their services and included a copy of their Annual Report.

2009 Annual Report & Community Benefit Plan/St. Joseph's. A letter was received from Donald W. Hartman, President/CEO of St. Joseph's, dated June 25, 2010, introducing himself and included a copy of the 2009 Annual Report and Community Benefit Plan.

Thank You/Big Flats Community Day, Inc. A letter was received from Mark Gould, Chairman of Big Flats Community Day, Inc., dated July 1, 2010, thanking the Town for their support and help.

Meeting Minutes/Elmira-Chemung Transportation Council. A copy of the meeting minutes, dated May 27, 2010, was received from the Elmira-Chemung Transportation Council.

Meeting Minutes/Big Flats Business Association. A copy of the meeting minutes, dated July 7, 2010, was received from the Big Flats Business Association.

Letter of Interest/L. Kaner. A letter was received from Leonard Kaner, dated July 20, 2010, stating his interest in serving on the Town Board if a vacancy became available.

Councilperson Hudock thanked everyone for attending the meeting and stated the Town Board will look into and consider the concerns expressed on all matters.

Councilperson Fairbrother made a motion, seconded by Councilperson Smith, to adjourn the Town Board meeting at 7:39 p.m. All in favor motion carried.

Date approved: _____

Linda J. Cross
Town Clerk